

Amendments To The Claims

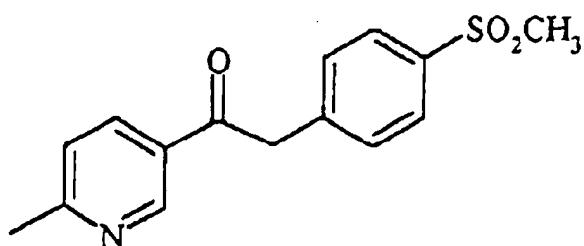
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing Of Claims:

Claims 1 to 20 (Canceled).

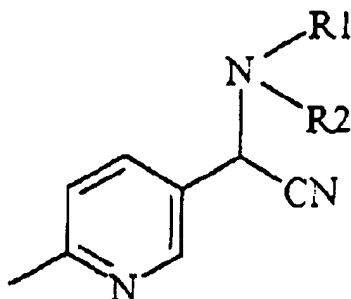
Claim 21 (Canceled).

Claim 22 (Currently Amended): A process for preparing
1-(6-methylpyridin-3-yl)-2-[(4-(methylsulfonyl)phenyl)ethanone of formula:



I

comprising initially reacting 2-methyl-5-vinylpyridine with ozone and subsequently reducing the ozonized 2-methyl-5-vinylpyridine that is thereby converted into 2-methylpyridine-5-carbaldehyde that is used without isolation, and reacting 2-methylpyridine-5-carbaldehyde it with a dialkylamine and a cyano compound to give an N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula:



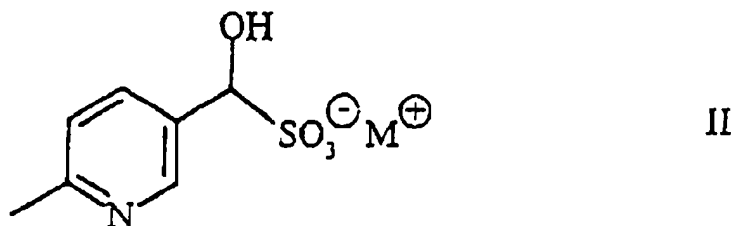
III

wherein R¹ and R² are identical or different and are C₁₋₄-alkyl, and, finally, in the presence of a base, reacting said acetonitrile of formula III with a 4-(methylsulfonyl)benzyl halide to give 1-(6-methylpyridin-3-yl)-2-[4-(methylsulfonyl)phenyl]ethanone of formula I.

Claim 23 (Previously Presented): The process as claimed in claim 22, wherein the reaction of 2-methyl-5-vinylpyridine with ozone is carried out in the presence of a mineral acid.

Claim 24 (Currently Amended): The process as claimed in claim 23, wherein the reaction of 2-methyl-5-vinylpyridine with ozone is carried out in the presence of a mineral acid and at a temperature of from -20 [°C] to 0 °C.

Claim 25 (Currently Amended): The process as claimed in claim 24, wherein the reduction is carried out using an alkali metal hydrogen sulfite, with formation of ~~1-hydroxy-(6-methylpyridin-3-yl)methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt of formula II:



wherein M is an alkali metal.

Claim 26 (Currently Amended): The process as claimed in claim 25, wherein the reduction is carried out at a temperature of from -20 [°C] to 20 °C.

Claim 27 (Currently Amended): The process as claimed in claim 26, wherein the ~~1-hydroxy-(6-methylpyridin-3-yl)methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt is used without isolation for preparing the ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula III.

Claim 28 (Previously Presented): The process as claimed in claim 27, wherein the cyano compound used in the reaction of the 2-methylpyridine-5-carbaldehyde is an aqueous HCN solution or an aqueous solution of an alkali metal cyanide.

Claim 29 (Previously Presented): The process as claimed in claim 28, wherein the temperature for the reaction of the 2-methylpyridine-5-carbaldehyde with the dialkylamine and the cyano compound is from 0 to 30 °C.

Claim 30 (Currently Amended): The process as claimed in claim 29, wherein the base used in the reaction of the ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula III is either an aqueous alkali metal hydroxide solution together with a phase-transfer catalyst or an alkali metal alkoxide in the presence of an organic solvent.

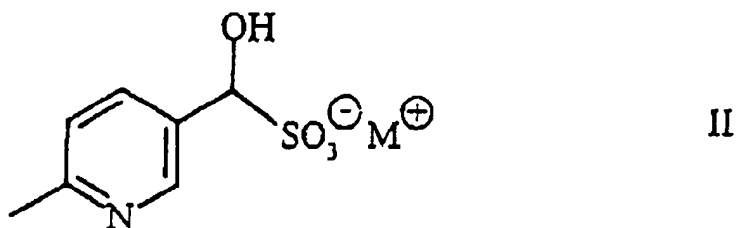
Claim 31 (Previously Presented): The process as claimed in claim 30, wherein the 2-methyl-5-vinylpyridine is obtained using 2-methyl-5-ethylpyridine as starting material.

Claim 32 (Previously Presented): The process as claimed in claim 31, wherein 2-methyl-5-ethylpyridine is converted at from 500 to 700 °C in the presence of a catalyst into 2-methyl-5-vinylpyridine.

Claim 33 (Previously Presented): The process as claimed in claim 32, where the catalyst used is a member selected from the group consisting of a silica, silica gel, iron oxide, zinc oxide, chromium oxide, copper chromite, magnesium oxide, potassium oxide, aluminum oxide, borophosphate, and mixtures thereof, and is on a support or is unsupported.

Claim 34 (Previously Presented): The process as claimed in claim 33, wherein the reaction is carried out at a temperature of from 600 to 700 °C.

Claim 35 (Currently Amended): The process as claimed in claim 22, wherein the reduction is carried out using an alkali metal hydrogen sulfite, with formation of ~~1-hydroxy-(6-methylpyridin-3-yl)methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt of formula II:



wherein M is an alkali metal.

Claim 36 (Currently Amended): The process as claimed in claim 35, wherein the reduction is carried out at a temperature of from -20 [°C] to 20 °C.

Claim 37 (Currently Amended): The process as claimed in claim 36, wherein the ~~1-hydroxy-(6-methylpyridin-3-yl)methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt is used without isolation for preparing the ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula III.

Claim 38 (Previously Presented): The process as claimed in claim 22, wherein the cyano compound used in the reaction of the 2-methylpyridine-5-carbaldehyde is an aqueous HCN solution or an aqueous solution of an alkali metal cyanide.

Claim 39 (Previously Presented): The process as claimed in claim 38, wherein the temperature for the reaction of the 2-methylpyridine-5-carbaldehyde with the dialkylamine and the cyano compound is from 0 to 30 °C.

Claim 40 (Currently Amended): The process as claimed in claim 39, wherein the base used in the reaction of the ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula III is either an aqueous alkali metal hydroxide solution together with a phase-transfer catalyst or an alkali metal alkoxide in the presence of an organic solvent.

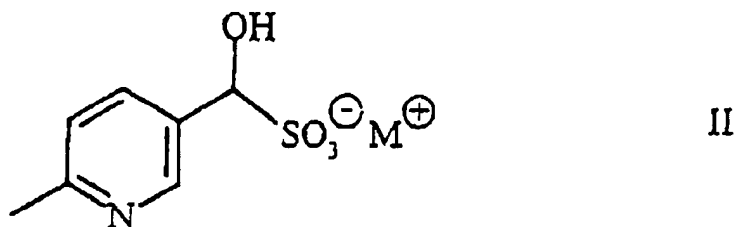
Claim 41 (Previously Presented): The process as claimed in claim 30, wherein the 2-methyl-5-vinylpyridine is obtained using 2-methyl-5-ethylpyridine as starting material.

Claim 42 (Previously Presented): The process as claimed in claim 41, wherein 2-methyl-5-ethylpyridine is converted at from 500 to 700 °C in the presence of a catalyst into 2-methyl-5-vinylpyridine.

Claim 43 (Previously Presented): The process as claimed in claim 42, wherein the catalyst used is a member selected from the group consisting of a silica, silica gel, iron oxide, zinc oxide, chromium oxide, copper chromite, magnesium oxide, potassium oxide, aluminum oxide, borophosphate, and mixtures thereof, and is on a support or is unsupported.

Claim 44 (Previously Presented): The process as claimed in claim 43, wherein the reaction is carried out at a temperature of from 600 to 700 °C.

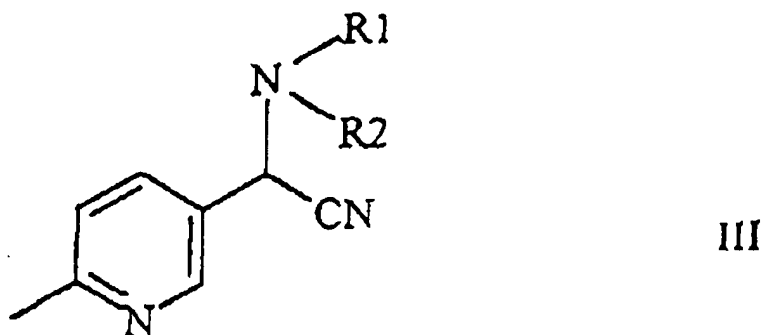
Claim 45 (Currently Amended): A ~~1-hydroxy-(6-methylpyridin-3-yl)~~
~~methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt of formula:



wherein M is an alkali metal.

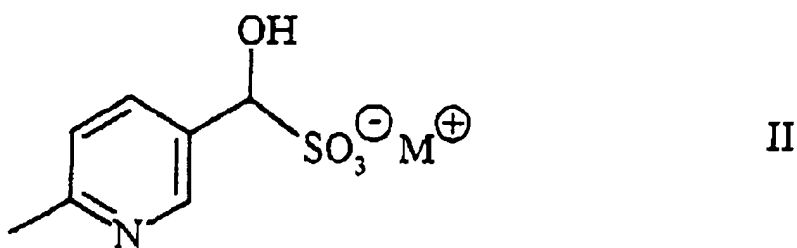
Claim 46 (Currently Amended): A process for preparing a ~~1-hydroxy-(6-methylpyridin-3-yl)~~
~~methanesulfonic~~ 1-hydroxy-(6-methylpyridin-3-yl)-
methanesulfonic acid salt as claimed in claim 45, comprising reacting 2-methyl-5-vinylpyridine with ozone subsequently reducing the ozonized 2-methyl-5-vinylpyridine with an alkali metal hydrogen sulfite to convert the reduced, ozonized 2-methyl-5-vinylpyridine into the end product of formula II.

Claim 47 (Currently Amended): An ~~N,N-dialkylamino-(6-methyl-3-pyridyl)~~
~~acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula:



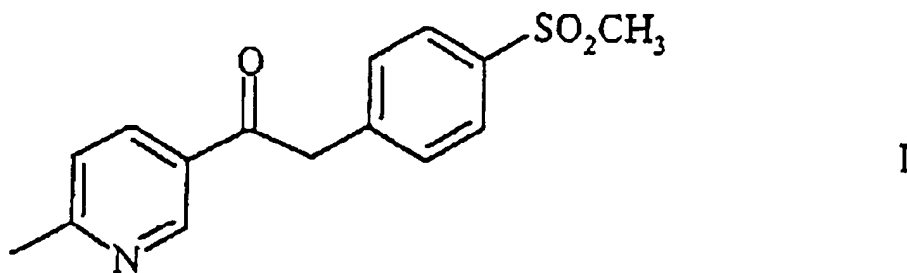
wherein R¹ and R² are identical or different and are C₁₋₄-alkyl.

Claim 48 (Currently Amended): A process for preparing a N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile of formula III as claimed in claim 47, wherein 2-methylpyridine-5-carbaldehyde or 4-hydroxy-(6-methylpyridin-3-yl)methanesulfonic 1-hydroxy-(6-methylpyridin-3-yl)-methanesulfonic acid salt of formula II:



is reacted with a dialkylamine and a cyano compound to give the end product of formula III.

Claim 49 (Currently Amended): A process for preparing 1-(6-methylpyridin-3-yl)-2-[4-(methylsulfonyl)phenyl]ethanone of formula:



comprising:

in a first step (a), converting 2-methyl-5-ethylpyridine at from 500 to 700 °C in the presence of a catalyst into 2-methyl-5-vinylpyridine,

in a second step (b), reacting the 2-methyl-5-vinylpyridine with ozone and, subsequently, reducing the ozonized 2-methyl-5-vinylpyridine to convert it into 2-methylpyridine-5-carbaldehyde,

in a third step (c), converting 2-methylpyridine-5-carbaldehyde using a dialkylamine and a cyano compound into the corresponding ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile, and finally,

in a last step (d), the ~~N,N-dialkylamino-(6-methyl-3-pyridyl)acetonitrile~~ N,N-dialkylamino-(6-methyl-3-pyridyl)-acetonitrile is reacted in the presence of a base with a 4-(methylsulfonyl)benzyl halide to give 1-(6-methylpyridin-3-yl)-2-[4-methylsulfonyl]phenyl]ethanone.